

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

**RED BARN MOTORS, INC.,  
DONALD B. RICHARDSON, AND  
BARBARA A. RICHARDSON,**

**Plaintiffs,**

**v.**

**NEXTGEAR CAPITAL, INC.,  
as successor-in-interest to  
DEALER SERVICES CORPORATION,  
and LOUISIANA'S FIRST CHOICE  
AUTO AUCTION, L.L.C.,**

**Defendants.**

**CIVIL**

**ACTION NO. : 1:14-cv-01589-TWP-DKL**

**UNOPPOSED MOTION FOR EXTENSION OF TIME**

Now into Court, through undersigned counsel, comes Plaintiff, Red Barn Motors, Inc. ("Red Barn"), who, pursuant to Local Rule 6-1, files this motion seeking an extension of two weeks for all deadlines set forth in the Amended Case Management Plan and states as follows:

1.

Pursuant to the Amended Case Management Plan, Plaintiff's Rule 26 initial disclosures, preliminary witness and exhibit list, statement of special damages, and settlement demand were all due on Friday, November 13th.

2.

Unfortunately, significant IT issues prevented undersigned counsel from preparing all of the necessary documents for the aforementioned filings. Undersigned counsel spoke to counsel

for Defendant, NextGear Capital, Inc. (“NextGear”), who agreed to an extension until November 16, 2015. Counsel for Defendant, Louisiana’s First Choice Auto Auction, L.L.C. (“First Choice”), subsequently agreed to an extension of time. Furthermore, in an abundance of caution, Plaintiff filed a *Motion for Extension of Time* on Friday, November 13th with this Court.

3.

Now, Red Barn seeks an additional extension of the deadlines for filing the aforementioned documents as well as all other deadlines set forth in the Amended Case Management Plan since it is attempting to secure local counsel to represent it in the captioned matter. Furthermore, Red Barn needs additional time to determine the extent of its damages pending any amendment to its petition adding other claims.

4.

All counsel have agreed to extending the deadlines set forth in the Amended Case Management Plan, including, but not limited to, extending the deadline for filing Plaintiff’s Rule 26 initial disclosures, preliminary witness and exhibit list, statement of special damages, and settlement demand to December 1, 2015.

5.

Accordingly, Red Barn requests this court grant an extension of time of two weeks for each and every deadline set forth in the Amended Case Management Plan.

Wherefore, Plaintiff, Red Barn Motors, Inc., prays this Court grant its Motion requesting an extension of two weeks for all deadlines set forth in the Amended Case Management Plan, including, but not limited to, an extension of time to file its Rule 26 initial disclosures,

preliminary witness and exhibit list, statement of special damages, and settlement demand, until December 1, 2015.

Respectfully submitted,

CASSIE FELDER & ASSOCIATES, L.L.C.

/s/ Joshua P. Melder

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**CERTIFICATE OF SERVICE**

I do hereby certify that I have on the 16th day of November, 2015, served a copy of the foregoing *Unopposed Motion for Extension of Time* on all counsel of record via electronic service by the court's CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

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/s/ Joshua P. Melder

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